



Town of Camden
Minutes of the Select Board Meeting
August 21, 2012
6:30pm

PRESENT: Chairperson Martin Cates, John French, Jr., James Heard, Leonard Lookner, Donald White, and Town Manager Finnigan. Also present were members of the press and public.

1. Call to Order

The meeting was called to order at 6:30 pm.

2. Citizen Comments

Stephen Hanscom of Camden spoke on behalf of the Snyders who live in the Knox Mill Condominiums. He said that his clients were under the impression that Zach Cohn of the Smokestack Grill would be reporting back at that night's meeting regarding resolution of the noise issue. Hanscom discussed their concern regarding installation of the sound-deadening mats and stated that he felt the Select Board's action of August 7th contradicted the spirit and intent of the May 15th meeting which had originally addressed the issue.

Martin Cates asked if there had been any noise complaints in recent weeks. Town Manager Finnigan responded that to her knowledge there had been no complaints since the night the Select Board instructed Mr. Cohn to put up the curtains, which had been Friday, August 10th. She clarified that the Select Board had approved a Special Amusement Permit for the Smokestack conditioned on the owner purchasing and installing sound deadening curtains to create a noise barrier whenever music is played. She said that out of necessity, the Police Department needs to respond on a complaint basis; if they get a complaint they will respond. They will visit the establishment from time to time for other issues in addition to noise monitoring.

Chairperson Cates opened the floor to Select Board comments.

Donald White commented on the success of the first Cash Mob event in downtown Camden. He also recognized the Parks and Recreation staff for their care of our public areas as well as the Public Works Department for their work to improve our roads while keeping inconvenience at a minimum.

Leonard Lookner said he was pleased that the Watershed School would be opening its doors in Camden. He noted the presence of the school will greatly benefit our town and thanked Matt Orne for his contribution in helping to make it happen.

Lookner also commented that he perceived an absence of police officers on foot beats around the streets of town, suggesting that this might help deter behavior he had observed such as mountain bike riding in Library Park. There was a discussion of police presence downtown, with John French stating that he supports having officers patrol on foot, but reminding the Board that the Police Department has many responsibilities and is very active throughout the community. James Heard noted that police officers present on the streets can be of assistance to visitors and can help make Camden a friendly and welcoming place.

Heard reported that he had gone to the Snow Bowl to see the new leach field for the new septic system and noted that the contractors had done an exceptional job.

3. **Communications, Presentations, and Recognitions**

A) Max Alexander of Thomaston, President of the Board of Trustees, made a presentation on the Watershed School's plans for operating at the former location of the Owl and the Turtle in the Knox Mill. He also gave an overview of the school's mission, demographics, and its goals for the future.

B) Lisa Dresser, Executive Director of "PAWS" (Pets Are Worth Saving), formerly the Camden-Rockport Animal Rescue League, made a presentation to the Board on the growth of the shelter and its planned expansion on Camden Street. Dresser detailed elements of the new structure and said that there will be a dog park on the grounds. She also supplied contact information for the organization: www.pawsadoption.org, 236-8702, 146 Camden St, Rockport.

C) Bruce Jordan of Camden talked to the Board about the Camden Area Food Pantry's current challenges in keeping up with the need to supply food to the area's hungry. Jordan asked for permission to block off four parking spaces on Atlantic Avenue for a fundraising and awareness event planned by the Food Pantry for August 31st at the Library Amphitheatre.

John French made a motion that four parking spaces on Atlantic Avenue be reserved from 8:30am to 4:30pm on August 31st for the Camden Area Food Pantry's fundraising and awareness event. Donald White seconded the motion. It was unanimously approved.

4. **Approval of Board Minutes from August 7th**

Donald White made a motion that the minutes of the August 7, 2012 Select Board meeting be accepted as presented. Leonard Lookner seconded the motion. It was unanimously approved.

4. **Select Board Member Reports**

Donald White reported that the Planning Board, meeting as the Comprehensive Plan Committee, had held a two-hour session on Thursday, August 16th. White said that the present Comprehensive Plan was reviewed at the meeting and initial progress was made on dividing responsibilities for working on sections of the plan.

Martin Cates told the Board that it had been exciting to participate in the ground-breaking ceremony for the improvements at the Snow Bowl. He said that this has been a cooperative effort among several groups: the Parks and Recreation Committee, the Redevelopment Committee, municipal employees, Jeff Kuller, the Town Manager, and others. Cates said he was very pleased with the job that Farley & Son had been doing to install the septic system and that he was glad we could work with a local company on this project.

6. **Town Manager Report**

The Town Manager updated the Board on current tax liens, reporting that 242 notices had been sent. 98 were still outstanding, she said, along with 13 personal property accounts. In vehicle excise taxes, she said that \$70,000 had been collected, representing \$8,000 more than last year at this time.

Finnigan said there have been more inquiries for review of property assessments and that the Assessors Agent West Robinson has been visiting homes. She added that homestead and veterans' exemptions had been processed and reviewed. Finnigan also reported that eleven marriage licenses had been issued in July.

Next the Town Manager spoke about the upcoming November elections, saying that the Town Clerk has been busy registering people to vote. She also told the Board that Detective Curt Andrick has been investigating the Rite Aid robberies and had recently attended a financial crime training program.

In the area of development and tourism, the Town Manager described visits by two large cruise ships that are scheduled for September and October. She said these are opportunities to showcase Camden in terms of cultivating future visitors as well as encouraging people to consider relocating to our town. Finnigan also noted that the recent Cash Mob event organized by Development Director Brian Hodges had been successful.

Upcoming events that the town is preparing for include the Windjammer Festival to be held Labor Day weekend. The 50th anniversary of the Mary Day will be celebrated as part of the Windjammer Festival, she said. She said the Town is preparing for the Camden International Film Festival scheduled for September

Lastly, Finnigan offered congratulations to Allen Insurance and Financial which was recently named one of Maine's best places to work.

7. Old Business

There was no old business.

8. New Business

A. Public Hearing on proposed amendment of the Camden Zoning Ordinance, Article XI Signs

Chairperson Cates opened the Public Hearing. Dick Householder of the Planning Board summarized details of the proposed changes to Article XI (Signs) which had been approved by the Planning Board on August 2nd.

Leslie Curtis of Camden, a business owner, spoke in opposition to the proposed changes to the ordinance. She said that changes in signage would make Camden appear more commercial and observed that it is the Select Board's responsibility to be the town's stewards.

Flint Decker of Camden, also a business owner, spoke in favor of the proposed changes in the ordinance and thanked the Sign Committee for their work.

Public comments were closed and Martin Cates opened the floor to comments from the Board.

Donald White said that he had served on the Sign Committee and that public hearings had been held in order to gather input. He said that as a result of that input, modifications had been made to the proposed changes to help them conform more closely to the wishes of the citizens who had spoken at the hearings. He said there were no changes proposed regarding the permitted size of signs in the immediate downtown area; that the primary change proposed for downtown was the permission to use chalkboards. The latter would only be allowed on private property, White noted, as chalkboards would not be permitted to be placed on the public sidewalks.

Leonard Lookner urged the Select Board not to approve the proposed changes in Article XI, and if it was passed he urged citizens to vote it down in November. He said that the changes would effectively expand our commercial area by allowing larger signs in areas that are not

commercial. He noted that the downtown area, which is the center of income for businesses, is 100% full and that he did not see why changes should be necessary. He told the Board he would vote no on this item because he feels that the existing sign ordinance works and has protected our town for a number of years.

John French said that the proposed changes would offer opportunities for businesses that are not on Main Street, noting that the Planning Board has had several public hearings and that they have tried to keep it so that the impact is not very great. French asked CEO Steve Wilson to speak to the specifics of what would and would not be allowed.

Steve Wilson spoke to the Board defining specifics of the proposal and answering questions.

Martin Cates commented that he had observed that the Planning Board had incorporated comments they had received from the public in their final recommendations and that they had invested a great deal of thought and consideration to the public input that had been offered. Cates also noted that not everyone will qualify for chalkboard signs and that he was generally supportive of the effort.

Donald White made a motion that the proposed changes to Article XI as put forth by Camden Planning Board be included on the ballot at the November elections. John French seconded the motion. It was passed by a vote of 3-2-0, (Lookner and Heard opposed).

B. Public Hearing on proposed amendment of the Camden Zoning Ordinance, Article VI Nonconformance.

Chairperson Cates opened a Public Hearing. Camden's Code Enforcement Officer Steve Wilson detailed the proposed changes in Article VI addressing nonconformance. He told the Board that these proposed changes would affect a limited number of businesses in the Camden area and would allow them to stay and prosper. Businesses with an allowed use won't qualify for expansion, he said. The Board discussed the specific businesses that the changes in the ordinance would affect.

Lookner expressed concern that a qualifying business that had been using a temporary structure such as a trailer for storage could in theory expand 30% and still keep their trailer. He recommended tabling the item until the ZBA could study this matter.

French noted that his business is one of the twelve nonconforming businesses that would be affected by the ordinance change and asked the Board whether he should recuse himself from voting on this item. Board members did not feel that it was necessary for French to recuse himself from voting.

The floor was opened to public comment.

Christie Bifulco of Camden, a business owner, spoke in opposition to the changes to Article VI. She said her property at 6 High Street abuts High Mountain Hall where several recent changes had taken place. Steve Wilson clarified that High Mountain Hall is not a nonconforming business so it would not be affected by the proposed changes in the ordinance.

Lookner asked for clarification on the definition on the allowed number of rooms at a B&B and whether they would be considered non-conforming if they had a change in their number of rooms. Steve Wilson said that businesses in the B3 district had to exist within the structure that

existed as of the date of the adoption of the ordinance. He added that a 30% expansion would only be permitted if a business met the rest of the zoning requirements and performance standards for that district. Wilson added that it is a very involved application process.

Chairperson Cates invited comments from the Board.

White said he felt that allowing non-conforming businesses to have opportunities for growth, if they meet the criteria, is a very important thing for our community. He said that he will recommend that the changes in Article VI be sent to the voters in November.

Lookner said that he would like to see the motion tabled until the ZBA finds a way to restrict temporary storage before expansion can be allowed. He stated that he felt uncomfortable with the changes as proposed.

French said that he feels it is important for some of the businesses that were here before the current zoning rules were created to have a chance for partial expansion through this ordinance change.

Heard told the Board that while he has mixed feelings about the proposal, he feels that it belongs in the hands of the voters to decide.

Cates said that he feels that the Planning Board did an excellent job of incorporating checks and balances with input from the public, and that the work it took is appreciated.

Donald White made a motion that the Article VI amendments as presented by the Planning Board in relation to nonconformance go before voters in the November election. James Heard seconded the motion. The motion passed by a vote of 3-1-1 (Lookner opposed, French abstaining).

C. Bid Award: Public Works Truck

Pat Finnigan explained that this was a bid to replace an old public works truck, and that it was staff's recommendation to award the bid in the amount of \$24,856 to Dutch Chevrolet. There was discussion of the specifications for the truck. Finnigan requested that the Board authorize the purchase of the truck for an amount not to exceed \$24,856 and that prior to the purchase, she would to make sure that the truck possessed the required features.

John French made a motion that the Town Manager be authorized to purchase a new 2013 Chevrolet 3500 HD plow truck for an amount not to exceed \$24,856. James Heard seconded the motion. It was unanimously approved.

White suggested it might be a good idea to have the department manager on hand to answer questions such as these.

D. Consideration of the following Victualer's License renewals: Village Restaurant, Long Grain Restaurant, and the Good House.

Donald White made a motion that the victualer's licenses for the Village Restaurant, Long Grain Restaurant, and the Good House be renewed. Martin Cates seconded the motion. It was unanimously approved.

E. Consideration of renewal of the Good House for a Lodging License.

John French made a motion that the lodging license for the Good House be renewed. Leonard Lookner seconded the motion. It was unanimously approved.

F. Consideration of application from Camden International Film Festival to use the Village Green on September 29, 2012 from 11:30 am to 4:30 pm.

Leonard Lookner made a motion that the Camden International Film Festival be allowed to use the Village Green on September 29, 2012 from 11:30 am to 4:30 pm. James Heard seconded the motion. It was unanimously approved.

G. Confirm Appointment of the Inner Harbor Master

Town Manager Finnigan recommended that this item be tabled until further background information could be gathered.

John French made a motion that Donald White seconded the motion. It was unanimously approved.

9. Select Board Closing Comments

Leonard Lookner thanked the Board for their patience during the ordinance discussions. He commented that he feels it is important to ask a lot of questions when it comes to change, as Ms. Curtis had noted earlier in the meeting that Select Board members are stewards for the community. Chairman Cates responded that it has been a good discussion.

Adjourn

Donald White made a motion to adjourn the meeting and reconvene as Wastewater Commissioners. Leonard Lookner seconded this motion. The motion passed unanimously and the Select Board adjourned at 8:35pm.

Meeting of the Camden Wastewater Commissioners

A. Approval of the Certificate of Commitment for Sewer User charges (as required by Title 30-A; M.R.S.A. §3406 for the period of April 11, 2012 to July 11, 2012

John French made a motion to approve the Certificate of Commitment for Sewer User charges as required by Title 30-A; M.R.S.A. §3406 for the period of April 11, 2012 to July 11, 2012. Donald White seconded the motion. It was unanimously approved.

Adjourn

Donald White made a motion to adjourn the meeting. Leonard Lookner seconded this motion. The motion passed unanimously and the meeting of the Wastewater Commissioners adjourned at 8:36pm.

Respectfully submitted,

Karen Brace
Recording Secretary